

By: Holland

H.B. No. 3441

A BILL TO BE ENTITLED

AN ACT

relating to compensation to a property owner for property acquired by an entity with eminent domain authority.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 21.041, Property Code, is amended to read as follows:

Sec. 21.041. EVIDENCE. (a) As the basis for assessing actual damages to a property owner from a condemnation, the special commissioners shall admit evidence on:

- (1) the value of the property being condemned;
- (2) the injury to the property owner;
- (3) the benefit to the property owner's remaining property; and
- (4) the use of the property for the purpose of the condemnation.

(b) The special commissioners may admit evidence on the price paid for pipeline or power line rights-of-way in privately negotiated transactions made in the absence of a potential, actual, or threatened condemnation.

SECTION 2. Section 21.041, Property Code, as amended by this Act, applies only to an eminent domain proceeding commenced on or after the effective date of this Act. An eminent domain proceeding commenced before the effective date of this Act is governed by the law applicable to the proceeding immediately before

H.B. No. 3441

1 the effective date of this Act, and that law is continued in effect  
2 for that purpose.

3 SECTION 3. This Act takes effect September 1, 2017.